



DOCKET NO. CAN-137

DA #8
JF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Louis Canuel
Serial No.: 09/829,391 Group No.: 3765
Filed: April 9, 2001 Examiner: A. Grayson
For: SANITARY NAPKIN WITH BREATHABLE EXTENSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on

May 8, 2003
(Date of Deposit)

James P. Barr

Name of applicant, assignee, or Registered Representative


(Signature)

May 8, 2003
(Date of Signature)

Box DAC
Commissioner for Patents
Washington, D.C. 20231

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

1. Applicant petitions for the revival of the above-identified application.
2. Nature of abandonment: (check appropriate box and complete)
 In an office communication from the PTO dated 4/15/2003, the undersigned has noted that the above-identified application is being forwarded to the Abandoned Files because applicant's response to the Official Action mailed 1/02/2003 has not been received within the statutory period or any extension requested therefor.
 The undersigned has reviewed his records and noted that the response to the Official Action mailed was not timely filed within the statutory period or any extension requested therefor.

3. Response filed:

The proposed response to the Official Action mailed

- has been filed on 1/02/2003
 is enclosed herewith.

05/13/2003 RMONDAF1 00000087 100750 09829391

01 FC:1452 110.00 CH

05/20/2003 CKHLOK 00000001 100750 09829391

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OFFICE OF PETITIONS

4. Verified showings from the relevant parties as to the causes of the unavoidable delays are filed herewith.

See attached Amendment and Response with a copy of the accompanying postcard evidencing receipt by the PTO on 1/07/2003.

5. It will be seen from the attached showings that the processing procedures have been carefully reviewed and that steps have been taken to avoid repetition of the events which took place in this case so that a similar error will not be made in the future.

6. Terminal disclaimer:

(application filed before June 8, 1995
or design application)

Abandonment took place on the following date 4/15/2003 and:

- Since this petition is within six months of that date, no terminal disclaimer is required.
- A terminal disclaimer equivalent to the period of abandonment of the application until the date of this petition is attached.

7. Status of applicant:

This application is on behalf of

- small business entity--fee \$55.00
- verified statement already filed on
 verified statement attached.
- other than a small business entity--fee \$110.00

NOTE: The fee is set in 37 CFR 1.17(I).

8. Fee payment:

- Charge the petition fee of \$110.00 to Account 10-0750/CAN137/JPB and for any additional fee required. A duplicate of this petition is attached.
- A check in the sum of \$ _____ is attached.
- Charge Account 10-0750 for any additional fee required.


James P. Barr
Reg. No.: 32,882
Attorney for Applicant(s)

JOHNSON & JOHNSON
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New Brunswick, NJ 08933
Tel. No.: (732) 524-2826
Date: May 8, 2003